

# The North Carolina Standard.

PHILO WHITE,  
EDITOR, AND STATE PRINTER.

THE CONSTITUTION AND THE UNION OF THE STATES.....THEY "MUST BE PRESERVED."

RALEIGH, N. C....THURSDAY, MARCH 24, 1836.

VOL. II....NO. 73.  
THREE DOLLARS PER ANNUM.

PRINTED AND PUBLISHED

By NATHANIEL G. BLAKE.

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## Speech of Mr. KING, OF GEORGIA.

In the Senate of the United States, Feb. 10, on the memorial of the Society in Friends of Lancaster county, in Pennsylvania, praying for the abolition of slavery in the District of Columbia. The question being on the reception of the petition.

Mr. KING said, as the Senator who had just taken his seat, seemed to him, to have somewhat misunderstood the import of what he had said on a former day, he would like, before the question was finally taken, to correct that misunderstanding, and add a few remarks in answer to the Senator from Mississippi. He was very anxious that the difference between himself and his southern friends should be well understood; that too much should not be made of it either at the north or at the south.

He thought he had been very explicit when he before briefly addressed the Senate, in stating that on the subject and object of the memorialists, there was no difference of opinion among southern members. They only differed upon the questions raised on the preliminary motion made by the Senator from S. Carolina. In other words, they agreed on the subject of abolition of slavery in the District of Columbia, which was the object of the memorial, but differed on the constitutional right of petition raised under the motion; and, also, upon the expediency of conceding that right on the present occasion.

He did not believe that they could differ on this branch of the subject, if his friends had not suffered their reasoning faculties to be obscured by the excitement of their passions, and the influence of their prejudices. Under this belief, he could not do better than to remind the Senator from Carolina, (Mr. Calhoun,) and those who acted with him, of the wise admonition of the Senator himself, at an early stage of the session.

On another branch of the same subject, the senator had cautioned the Senate against the establishment of precedents, on subjects of high excitement. He very properly stated that, on such occasions, we might hastily establish principles, dangerous to the constitution, and embarrassing in future times to our legislation under it. His friend was then justifying himself: the southern people in advance, for an opposition report which he intended to make against the recommendation of the President in his annual message. The President recommended to Congress to regulate the action of the Government under a power expressly granted to it, as to effect only the national objects for which it was granted, and avoid any encroachments upon the rights of the States, on the subject of domestic slavery, for which it was not granted. Whether the admonition of the Senator was called for on that occasion, might better appear on a discussion of that branch of the subject; but the admonition was certainly a wise one, and he was sorry the Senator had lost sight of it in the motion he had made. He would not rebuke his southern friends; he believed they acted under excitement; and if they erred they erred honestly, and believed no doubt, they were doing the best for the South. He thought their error so palpable, however, that he hoped he would be excused for the remark, as a general one, that he thought it ill became gentlemen of the south, ay, gentlemen of the south, who professed to be struggling and straining every nerve upon all occasions, to preserve the constitution in its purity, incautiously to put their foot upon it in a moment of irritation, at the conduct of a few deluded and mistaken philanthropists. The South wished the constitution as it is, in fact as it has been written, so long as it answered the purpose for which it was framed. It would be needed by us, he hoped, after the abolition excitement had passed off and been forgotten. A sentiment, he said, fallen from a Senator from Massachusetts, that had been much censured from various quarters. He had voted against the Senator on the occasion out of which the remark had grown, because he did not believe with him in the danger to the constitution. But when a Senator believed that he was called on to violate the constitution, the sentiment was one in which he fully concurred. Sir, said he, if the walls of this capital should be "battered down," they may be built up again; in the selfish sectional feelings of the present day, if our glorious fabric of Government should perish in the conflict of sectional passion, where are the political journeymen with the wisdom or the patriotism to reconstruct the noble edifice, with all its present symmetry, usefulness and beauty?

He thought it remarkable that his southern friends, who were opposed to him, seemed by their arrangements, to have lost sight of the very nature of our institutions; and especially of the essential distinction between republican and despotic Government.

One of the most difficult subjects, he said, in the whole science of Government, was that of reconciling the peace of the community, and the safety of established institutions, with the rights and liberties of individuals. Practically and theoretically, it had divided the world more or less in all ages, but he had thought that it was not now a debatable question with the people of the United States.

He considered it settled, by the very form of our Government and institutions; for it was in the establishment of the form of Government, that this question was usually considered and settled. The Government of our choice, Mr. K. said, was purely republican. It was based on popular opinion, which was known to be mutable; as was also a free and unobstructed intercourse, between Government, the agent, and the people, the constituent power.

The opposite form of Government, said Mr. K., assumes that Government, when once established, is always right; that it is based on principles unchangeable; its acts infallible; and the Government is to be guarded if necessary, by its own organized force; denying any voice to the citizen for whose good it was established. It was strange, Mr. K. said, to see gentlemen, by their arguments, actually sustaining the latter, in opposition to the former system of Government.

Sir, said Mr. K., there is no good without alloy. The privileges allowed the citizen under a free constitution, may be, and are, as in this case, very often grossly abused, the community troubled, and established institutions endangered. But the people of the United States have determined that these abuses are rather to be combated by reason and patriotic discretion, than that freedom out of which they grow should be denied. In other words, they prefer the enjoyment of a rational liberty at the price of vigilance, and at the risk of occasional trouble, by the errors of misguided or bad citizens, to that repose which is enjoyed in the sleep of despotism.

However unpatriotic, then said Mr. K., these petitioners may be; however deluded, however mischievous in every sense, and however we may reprobate their conduct, they are still citizens of the United States. It was acknowledged that these memorialists were highly respectable and peaceful citizens, as most belonging to the Society of Friends usually are. However this might be, they were certainly citizens, submitting to the operation of the Government, and contributing to its support, and must, under its theory, be allowed the same rights of other citizens. They must be allowed, like the citizens, to petition the Government—the Government having a perfect right to reject their prayers, after receiving their petitions. The simple right of petition was the most harmless and inoffensive of all possible rights, if it be properly treated. It enforced nothing but what government thought proper to yield to it. The peaceable exercise of the right, however idly employed, could rarely be productive of mischief, though it might sometimes be evidence of mischievous intention. The greatest danger was in imprudently and unnecessarily resisting it. All history was full of the most warning instances in which the most worthless principles had been elevated to unmerited consequence, by opportunities incautiously given them of throwing themselves into the breaches of a violated constitution.

He had been asked if he would receive a petition to abolish slavery in Georgia; This was a strong and improbable case, but he had answered, and would still answer, that he should feel bound to do so, and would then treat it with that contempt which to extravagant proposition would deserve. Mr. K. thought we had no right to refuse to receive a petition if made by a citizen of the United States, and touching a matter that concerned him as such. These he thought the only essential requisites to entitle the petition to a reception. It must be signed by citizens, and touching their interests as citizens. We could not be embarrassed by petitions to relieve the riots of the East Indies from the oppressions of the Zemindars, or from heavy exactions of the East India Company. Petitions for such a purpose might be refused and gentlemen had said that this memorial might be refused on the same principles. He thought himself, that they were meddling with a matter that should not concern them; and would strongly recommend to them to attend to their own business, and allow the people of the district to attend to theirs. But still it was insisted that the District of Columbia was a national territory and under national jurisdiction; that the representatives of the people of the District were the representatives of the people of the United States; that the public buildings, and a vast amount of public property, in which they have a common interest, is located here; that the District is governed, to some extent, at the cost of the nation; in short, that there is that kind of relation, between the people of the District and the people of the United States, as citizens of the same nation, which gives them an interest in the subject of their memorials. However light this reasoning, it was difficult on principle to get round it; and he thought, at any rate, we should not settle this question on nice

distinctions, perhaps convincing to ourselves, but to nobody else.

But said Mr. K., waiving this objection, as seems to have been generally done, and how do gentlemen get round the constitutional objection to their motion? Why they say they do not propose "to pass a law" to abridge the right of petition, and, therefore, do not propose to do any thing which the terms of the constitution forbid. He begged that his southern friends would reason on this, as they would reason on other subjects; that they would shake off momentary influences, and employ their reasoning faculties for the discovery of truth. If they would only do this, they could not disagree with him for a moment for they must instantly discover that their answer was a palpable evasion of the constitution itself. Mr. K. called for and read the first amendment as follows: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble, and petition the Government for a redress of grievances."

Congress, under this article, can pass no law to "abridge" the right of the people to petition the Government. A modern commentator on the constitution, of some note and much ability, in noticing this part of the article, dismissed it with the remark, that it was totally unnecessary—This is obvious to every one who will consider for a moment the relation between a free people and the Government of their own choice. The privilege belonged (Mr. K. said) to the form of government—was united with it, and inseparable from it. It as clearly belonged to the people on the formation of the government, as did the right to use the English language without any constitutional provision for that purpose; and, said Mr. K., if gentlemen will only look at the constitution and not evade it, they will see that the right was not acquired by the constitution, but only secured by it. The right, as a pre-existing one, was expressly recognised by the language of the constitution itself. What was the language applicable to the question before the Senate? It proved Congress from passing any law "abridging the right of the people to petition the Government," &c. &c.

Was not here a plain and express recognition of the pre-existing right? "Abridge" what? His friend from Carolina was a logician as well as a statesman, and he would ask him how the constitution could provide against the "abridgement" of a right which it did not acknowledge to exist! Could we abridge a nonentity! Could we take any thing from nothing! Could we add securities where there was nothing to secure! Certainly not. As a thousand noughts added will make nothing, so a cypher cannot be reduced. The right then belonged to the people, as inseparably incident to their form of government—was acknowledged to exist by the language of the constitution; and guardedly secured by the provisions of that instrument. Yes, said Mr. King, secured against the united legislative power of the whole Government; and yet gentlemen propose unceremoniously to defeat it by a simple motion in one branch of the legislature. He would not dwell longer upon this branch of the subject. He had already said more than was necessary. A proposition so extraordinary could only claim attention from its respectable paternity: certainly not as a fair subject of argument or discussion.

Mr. King said it was perfectly clear that the people of the United States intended to secure a free intercourse between the people and their government, and especially to place beyond doubt the right of petition.

That Congress would be troubled with many petitions it could not grant, and would occasionally have submitted to it propositions foolish and extravagant was a foreman incident of the right, and one that could not be avoided without assuming the power to deny the right altogether. The fact of sending a petition here for any purpose, proved that the petitioner believed that he had a right to ask it, and that Congress had a right to grant it. We had only to receive the petition, look into it, decide on the right to relief, and accordingly. No man ever was convinced of his error by refusing to hear him.

But, in the second place, said Mr. K., if we, by the aid of our prejudices, should be able to convince ourselves that this motion may be sustained without a violation of the constitution, is it expedient to press it; when it is apparent that we would never be able to convince any body else? It gave no promise of good, in the most favorable view of it; and in all other views threatened a great deal of mischief. All these extra and unnecessary issues, attacking popular and general rights, to secure particular rights, threw new and additional weight upon our friends, the reasoning and patriotic citizens of the north, who were using their influence in the way they thought most efficient to put down the misguided enthusiasm of the abolitionists: the evidences of every day, as well as our general reflections, should satisfy us of this. An unpopular cause was always strengthened by union with a popular one. The abolition of slavery, as prayed by the memorialists, was unpopular, and we wished it to be more so. It had not, he believed, a single advocate in the Senate. There might be an exception or two, but he did not believe it. On the other hand, the

right of petition we know to be a very popular right. It always had been so, and no considerable portion of the people in any part of the Union would allow it to be questioned; and it, in the red heat of excitement, we weld these two propositions together, the unpopularity of the one will be lost in the popularity of the other; and men will thus be brought into a union of action who are at present widely separated in thought and purpose as the poles are asunder.

Man, he said, was a social and sympathetic being. He was always pleased and flattered by a co-incidence of opinion; and agreeing in one measure of primary importance, men are more readily prepared for agreement in every thing else. On the other hand, if they believe others extravagantly wrong upon one fundamental principle, they easily believe them wrong in their opinions upon every other; and not agreeing in that, they will agree in nothing. Without referring with any disrespect to a doctrine in which he did not agree, he could cite his southern friends to the reorganization of parties at the south on the doctrine of nullification, as a practical illustration of the truth of this position. Thousands of intelligent men, who in politics formerly agreed in every thing, now agreed in nothing, because they did not agree upon the doctrine of nullification; and on the other hand, thousands, who formerly agreed in nothing, now agreed in every thing, because they did agree in that doctrine. The history of parties would prove the same results in similar cases in all time past, and the same results would follow similar causes in all time to come, until the nature and constitution of man should be essentially changed.

What, then, inquired Mr. King, could be gained by uniting these questions? Nothing; but a great deal lost in elevating abolition by its union with the popular right of petition. Being entirely prostrate in many parts of the north, and he hoped weak every where upon the true question they have been pressing, they wish new ground to stand on; they wish something that they may carry upon their election grounds, and use to the prejudice of the southern people. We already saw, he said, the use they were making of our professions, and the manner in which we had pressed them. By such motions, we gave them the advantage of insisting, that whilst we demanded our own rights, we had no respect for the rights of others; that claiming rights under the constitution, we show no regard whatever to the constitution ourselves. He had been among the people of the north during the past summer, and met with not a single man with whose sentiments he was dissatisfied. The great mass of the intelligent and patriotic were, so far as his observation extended, perfectly sound on the subject. All they seemed to dread was the imprudence and violence of the South, in the extravagance of their demands and the multiplication of false issues. They seemed to have full confidence that they would be able to put down the agitators, if they could only be permitted to do it in their own way, and be relieved from demands which could not be legally gratified, and angry denunciations not deserved. He was also gratified to notice, that great allowances were made for the natural excitement of their southern brethren upon this delicate and irritating subject. He hoped this indulgence would continue; but he really feared, that unless southern friends were more prudent and more just towards those who had been using every means in their power to put down agitation—those who had espoused the cause of the south in every form—the apparent injustice would ultimately prove beyond all human endurance; and those, said Mr. King of all political parties at the north, who are now and have been our open, avowed, and active friends, if they do not become enemies, must become indifferent to our rights, and to us. We could not complain of these as enemies, whom we rejected as friends.

An error of this kind had just been repeated by the Senator from Mississippi. But for this repetition he should not perhaps have notice a mistake of a similar nature made a few days since by his friend from Carolina. What were these mistakes, and what were the consequences they would naturally lead to? He said it was known that there was a talented, patriotic, and highly influential member of the other House from N. Hampshire (Mr. Pierce) to whose diligence and determined efforts he had heard attributed, in a great degree, the present prostrate condition of the abolitionists in that State. He had been the open and active friend of the South from the beginning, and had encouraged the hostility of the abolitionists in every form. He had made a statement of the strength and prospects of the abolitionists in his State, near the commencement of the session, that was very gratifying to the people of the south. These statements were corroborated by one of the Senators from that State a few days after, and the Senator from Carolina rose, and without due reflection, he was very sure, drew from his pocket a dirty sheet, an abolition paper, containing a scurrilous article against the member from New Hampshire, which pronounced him an impostor and a liar. The same thing in effect had just been repeated by the Senator from Mississippi against one of the best friends of the south, Governor Marcy, of New York. (Here Mr. Calhoun rose to explain, and said he had intended by the introduction of the paper no disrespect to the member

from New Hampshire; and Mr. Black also rose to say he only wished to show the course the abolitionists were pursuing, and their future views.) Mr. K. said he had been interrupted by the Senators, but corrected by neither of them. He was not attacking their motives, but only exposing their mistakes. The article read by his friend from Carolina was abusive of the member from New Hampshire, and contradicted his statements. The article read by his friend from Mississippi against Governor Marcy was of a similar character. It abused, menaced and contradicted him. These abusive productions would seem to be credited and adopted by those who used them as evidence, and incorporated them in their speeches. Here, then, was a contest in the north between the most open and avowed friends of the south and the abolitionists; and we had the strange exhibition of southern gentlemen apparently espousing the cause of the latter, who were continually furnishing them evidence with which to aid them in the contest. Did gentlemen call this backing their friends? What encouragement did such treatment afford to our friends at the north to step forth in our behalf?

(Here Mr. K. good humoredly remarked to his friends from Carolina and Mississippi, that they seemed greatly in favor with the abolitionists here lately—that they did not honor him with any of their papers.)

He objected to these papers as any evidence to any fact, and especially objected that they should be used by southern men against the friends of the south. He would not even carry one of the vile vehicles of falsehood in his pocket. The whole system upon which these publications were conducted, seems to be one of pure fiction, falsehood, and fraud. They could not be relied on for the establishment of any fact whatever. And this was one of the strongest evidences to his mind against the good intentions of the intelligent leaders of the abolition societies. There were doubtless good men among them, who, without a sufficient knowledge of the subject, had been too easily imposed upon, but that the master spirits of the mischief, who well understood the system upon which they acted, could be actuated by benevolent motives, was very improbable.

As these abolition papers were introduced as evidence, he would ask his friend from Carolina one single question; and that was, whether among the bushels of this trash, with which the abolitionists seemed to furnish him, he had ever seen one single narrative of facts in relation to slavery at the south, that he did not, as a southern man, and acquainted with the subject, either know it to be false, or believe it to be so? He did not know what would be the Senator's answer to this, but, for himself, he would say, under the sanction of an oath if required, that in all of the abolition publications that he had ever read he had never seen a single statement of importance in relation to the subject, that he did not, either of his own knowledge as a southern man, know to be destitute of truth or from the incredible nature of the story, believe to be so.

One of these stories occurred to him which might be selected as a fair specimen of the whole, and be selected it only because the alleged facts were confined to this city; and gentlemen who were anxious to sustain the credit of these papers could, if they chose, investigate the facts stated. He referred to the history of Miss Mary Brown, (he believed that was the name,) whose history was given in one of the anti-slavery periodicals during the last summer. Miss Mary, it seemed, was a very pious young lady, born of free parents in the city of Washington, and raised in the same place to years of maturity. She was walking in the public street, about noon day, a few years since, (as she certainly had a right to do if she were free), and was met by a kidnapper, of no less responsibility than the Marshal of the District, who seized her and carried her to an auction where she was sold to a Mississippi trader to the highest bidder, for perhaps \$350. Now, sir, you perhaps suppose, that being kidnapped and sold in the city where she was born and raised, that she was immediately sent off to prevent some process in her behalf; but not at all, sir. She was lodged in the jail of the District, and there remained for thirty or forty days before she was matched, under frightful suffering, to the State of Mississippi. After much affliction, and some adventures there, which I will not detail, she makes her way to Cincinnati, where she furnishes the materials for her biography, which, no doubt, of thousands of copies have been published and circulated by these pious societies to enlighten the christian world on the subject of slavery in the District of Columbia and the slaveholding States. Their system seemed to be one of unmixed invention. They drew on the imagination exclusively for facts. Did gentlemen ever see a truth in one of these papers in relation to themselves? If not, why use them as evidence against their northern friends?

A great deal had been stated in one form or other, and in one quarter or other, to the numbers and increase of these disturbers of the peace; and he did not undertake to say what was the fact. He learned and thought it probable that they had increased since the commencement of the session, and had heard also the increase attributed to the manner in which the subject had been treated here. However this might be, what he insisted on, was, that those base productions were no evidence of the fact, or of any fact, and especially should not be used by southern men in opposition to the statements of high-minded honorable men at the north, who were the active and efficient friends of the south. If gentlemen wanted further evidence of the reckless system of fabrication and falsehood, pursued by the abolition fraternity, he would give them another proof of it, which he thought would settle their opinions on that point. As introductory to this further proof, however, and in fact, as a necessary part of it, he must remind them of the glowing accounts to be seen, in all the abolition prints, of the great success and triumphant march of the missionary George Thompson, from the time of his arrival in this country, until compelled to embark rather unceremoniously on a return voyage to make his final report to the Glasgow mails who sent him. Every number of almost every paper which fell under his eye during this alleged prosperous mission, was filled with flattering and cordial receptions, crowded and attentive meetings, brilliant triumphs and increasing resources. All statements of formidable opposition to him were flatly contradicted. These statements were generally corroborated by Thompson, until the dying declarations of his mission, when the truth could no longer be concealed or falsehood made profitable. At any rate, we found him contradicting the whole preceding history of his mission, in letters written from this country to England, just before he embarked. Mr. K. read the following article from the "Leeds Mercury," an English paper:

Mr. George Thompson.—Letters of a most distressing nature have been received from Mr. George Thompson, the zealous and devoted missionary of slave emancipation, who has gone from this country to the United States, and who writes from Boston. He says, that "the north" (that is New England, where slavery does not exist) "has universally sympathized with the south" in opposition to the abolitionists; that "the north has let fall the mask; that 'merchants and mechanics, priests and politicians have alike stood forth the defenders of southern despotism, and the furious denouncers of northern philanthropy'; that all parties of politics, especially the supporters of the two rivals for the Presidency, each, Van Buren and Webster, vie with each other in denouncing the abolitionists; and that even religious men shun them, except when the abolitionists can fairly gain a hearing from them. With regard to himself he speaks as follows: 'Rewards are offered for my abduction and assassination, and in every direction I meet with those who believe they would be doing God and their country service by depriving me of life. I have appeared in public, and some of my scrapes from the hands of my foes have been truly providential. On Friday last I narrowly escaped losing my life in Concord, New Hampshire.'—Boston, September 11. This morning a short gallows was found standing opposite the door of my house, 23 Bry street, in this city, now occupied by Garrison. Two bailers hung from the beam, with the words above them, 'by order of Judge Lynch!'

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The contradiction between this and the previous accounts referred to, he hoped would satisfy gentlemen that the statements of abolitionists were not worthy of the use they had made of them to disprove the statements of honorable men.

Other errors he thought had been committed, and sentiments expressed, doubtless under the influence of excited feelings, and in the hurry of debate, which he deeply regretted. The most friendly advances by those whose friendship had been manifested in the most undoubted manner, had been rudely repulsed. The kindest feelings had been met by unmeasured denunciation. To assurances of devoted friendship to the south and its institutions, it had been angrily answered that the south did not want the sympathies of north; that it had no occasion for assistance, and set opposition at defiance. This was proper language to an enemy, but was uncalled for to friends, and was calculated to have an unhappy effect in weakening the national sympathies of the people. These were hasty sentiments, however, and he hoped would be so considered. As for his part he did wish the sympathies of the northern people, where they were freely given, either on this or any other occasion, necessary to preserve and prosper our great and glorious confederacy. And if it should ever become necessary, he wished their assistance also. He did not ask it in a humiliating tone or a humiliating sense. He demanded it as a social duty; nay more, as the performance of a paramount constitutional obligation.

If we did not want the sympathies of our own countrymen, who owed them to us, whose sympathies did we expect! Those of England and France! Were there still any advocates of the wild project of preserving the south by separation, and forming alliances with these two powers. He presumed not. England had seized upon the property of her own West India planters, and ruined the planters, and ruined the country; at the same time imposing new burthens upon the already overtaxed people at home. Why and tory, however they disagreed on other matters, seemed, he said, to agree tolerably well on this, and the great mass of the movement party, O'Connell